

EXHIBIT 17



Lewis Hudnell <lewis@hudnelllaw.com>

RE: [Ext] Meet and Confer on Motion in Western District of Texas Case Nos. 6:21-cv-670, 6:21-cv-671, 6:21-cv-672 (WDTX)

1 message

Ameet Modi <AModi@desmaraisllp.com>

Wed, Jul 21, 2021 at 12:23 PM

To: Lewis Hudnell <lewis@hudnelllaw.com>, Raymond Habbaz <RHabbaz@desmaraisllp.com>

Cc: "Roger.Fulghum@BakerBotts.com" <Roger.Fulghum@bakerbotts.com>, "Cimino, Frank C., Jr."

<fccimino@venable.com>, "Woodworth, Megan S." <mswoodworth@venable.com>, "Hector, Bill" <wahector@venable.com>,

"Guske, Sarah" <sarah.guske@bakerbotts.com>, "Mayne, Morgan" <morgan.mayne@bakerbotts.com>,

"Lauren.Dreyer@BakerBotts.com" <lauren.dreyer@bakerbotts.com>, Apple Voip-Pal Service <AppleVoip-

PalService@desmaraisllp.com>, Nick Gikkas <nick@hudnelllaw.com>, Steve Ravel <steve.ravel@kellyhart.com>

Lewis,

I'm surprised by your response. As you know, Apple just granted—at VoIP-Pal's request—a 38-day extension for VoIP-Pal to answer or otherwise respond to Apple's complaint in NDCA, with the understanding that VoIP-Pal would likewise extend a similar professional courtesy to Apple if necessary. That correspondence is attached. I believe AT&T and Verizon agreed to similar requests from VoIP-Pal. It is now apparent that VoIP-Pal was preparing its TRO motion while requesting those extensions.

Due to the lengthy extensions that Defendants have agreed to in NDCA, nothing is due from VoIP-Pal in those cases until at least August 30. Under the circumstances, is VoIP-Pal willing to provide the professional courtesy of any extension to Defendants' TRO oppositions under the current schedule?

Thanks,

Ameet

From: Lewis Hudnell <lewis@hudnelllaw.com>**Sent:** Wednesday, July 21, 2021 11:57 AM**To:** Raymond Habbaz <RHabbaz@desmaraisllp.com>**Cc:** Roger.Fulghum@BakerBotts.com; Ameet Modi <AModi@desmaraisllp.com>; Cimino, Frank C., Jr.

<fccimino@venable.com>; Woodworth, Megan S. <mswoodworth@venable.com>; Hector, Bill

<wahector@venable.com>; Guske, Sarah <sarah.guske@bakerbotts.com>; Mayne, Morgan

<morgan.mayne@bakerbotts.com>; Lauren.Dreyer@BakerBotts.com; Apple Voip-Pal Service <AppleVoip-

PalService@desmaraisllp.com>; Nick Gikkas <nick@hudnelllaw.com>; Steve Ravel

<steve.ravel@kellyhart.com>

Subject: Re: [Ext] Meet and Confer on Motion in Western District of Texas Case Nos. 6:21-cv-670, 6:21-cv-671, 6:21-cv-672 (WDTX)

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Raymond,

In light of VoIP-Pal's request for a TRO, VoIP-Pal believes that the current briefing schedule needs to be maintained so that the Court can act expeditiously on the request and maintain the status quo while it decides the motion for an injunction. That said, VoIP-Pal is willing to agree to requested extension if the Defendants are willing to stipulate to a stay of the NDCAL cases pending the outcome of the motion. Please let us know if that is agreeable. Many thanks.



Lewis E. Hudnell, III

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On Tue, Jul 20, 2021 at 2:28 PM Raymond Habbaz <RHabbaz@desmaraisllp.com> wrote:

Lewis,

As we indicated on the phone yesterday, the Defendants will request an extension on our consolidated opposition motion to August 23. Please let us know if VoIP-Pal is unopposed that to that request.

Regards,

Raymond

Raymond N. Habbaz | Associate

DESMARAIS LLP

230 Park Avenue

New York, NY 10169

T: (212) 351-3400 | F: (212) 351-3401

D: (212) 808-2950 | E: rhabbaz@desmaraisllp.com

From: Lewis Hudnell <lewis@hudnelllaw.com>

Sent: Monday, July 19, 2021 4:03 PM

To: Raymond Habbaz <RHabbaz@desmaraisllp.com>

Cc: Roger.Fulghum@BakerBotts.com; Ameet Modi <AModi@desmaraisllp.com>; Cimino, Frank C., Jr. <fccimino@venable.com>; Woodworth, Megan S. <mswoodworth@venable.com>; Hector, Bill <wahector@venable.com>; Guske, Sarah <sarah.guske@bakerbotts.com>; Mayne, Morgan <morgan.mayne@bakerbotts.com>; Lauren.Dreyer@BakerBotts.com; Apple Voip-Pal Service <AppleVoip-PalService@desmaraisllp.com>; Nick Gikkas <nick@hudnelllaw.com>

Subject: Re: [Ext] Meet and Confer on Motion in Western District of Texas Case Nos. 6:21-cv-670, 6:21-cv-671, 6:21-cv-672 (WDTX)

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Raymond,

4:30p CT works. Please use the following dial in:

Dial-in Number: +1 (605) 313-5105

Access Code: 101156#

Many thanks.



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On Mon, Jul 19, 2021 at 12:02 PM Raymond Habbaz <RHabbaz@desmaraisllp.com> wrote:

Counsel,

Please let us know if you are available to meet and confer regarding VoIP-Pal's proposed motion today at 4:30 pm CT. We expect VoIP-Pal will be prepared to discuss the bases for its motion, including why VoIP-Pal believes it is likely to succeed on the merits given the prior proceedings, why VoIP-Pal believes irreparable harm is likely absent a TRO or preliminary injunction, and what amount of security VoIP-Pal will post under Fed. R. Civ. P. 65(c).

Regards,

Raymond

Raymond N. Habbaz | Associate

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From: Lewis Hudnell <lewis@hudnelllaw.com>

Sent: Monday, July 19, 2021 10:29 AM

To: Roger.Fulghum@BakerBotts.com; Ammeet Modi <AModi@desmaraisllp.com>; Cimino, Frank C., Jr. <fccimino@venable.com>; Woodworth, Megan S. <mwoodworth@venable.com>; Hector, Bill <wahector@venable.com>; Guske, Sarah <sarah.guske@bakerbotts.com>; Mayne, Morgan <morgan.mayne@bakerbotts.com>; Lauren.Dreyer@BakerBotts.com; Apple Voip-Pal Service <AppleVoip-PalService@desmaraisllp.com>

Cc: Nick Gikkas <nick@hudnelllaw.com>

Subject: [Ext] Meet and Confer on Motion in Western District of Texas Case Nos. 6:21-cv-670, 6:21-cv-671, 6:21-cv-672 (WDTX)

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Dear Counsel,

VoIP-Pal plans to file a consolidated motion in the above-identified WDTX cases today. The motion will ask the court to issue a temporary restraining order and preliminary injunction enjoining the defendants from pursuing their second-filed declaratory-judgment actions pending in the Northern District of California (Case Nos. 3:21-cv-5078, 3:21-cv-5110, 3:21-cv-5275 (NDCAL)) under the first-to-file rule.

Please let me know today if the defendants oppose the motion and if the defendants would like to discuss this matter. If we do not hear from the defendants by 5p CT, then VoIP-Pal will assume that the motion is opposed.

Many thanks.



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----- Forwarded message -----

From: Lewis Hudnell <lewis@hudnelllaw.com>

To: Ameet Modi <AModi@desmaraisllp.com>

Cc: Apple Voip-Pal Service <AppleVoip-PalService@desmaraisllp.com>, Nick Gikkas <nick@hudnelllaw.com>

Bcc:

Date: Wed, 14 Jul 2021 18:17:24 +0000

Subject: Re: [Ext] Re: Apple v. VoIP-Pal

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Thanks Ameet. Will do.

On Wed, Jul 14, 2021 at 10:51 AM Ameet Modi <AModi@desmaraisllp.com> wrote:

Hi Lewis,

This looks fine, although I believe the date should be updated.

Thanks,

Ameet

From: Lewis Hudnell <lewis@hudnelllaw.com>

Sent: Tuesday, July 13, 2021 4:06 PM

To: Ameet Modi <AModi@desmaraisllp.com>

Cc: Apple Voip-Pal Service <AppleVoip-PalService@desmaraisllp.com>; Nick Gikkas <nick@hudnelllaw.com>

Subject: Re: [Ext] Re: Apple v. VoIP-Pal

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Ameet,

VoIP-Pal is agreeable to making the parties' responsive pleadings due the same day. But by my calculation, that would require a 38-day extension for VoIP-Pal. Please let me know if the attached stipulation is ok to file. Many thanks.



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On Tue, Jul 13, 2021 at 3:35 PM Ameet Modi <AModi@desmaraisllp.com> wrote:

Lewis,

The request for a 40-day extension is quite long given that VoIP-Pal is presumably already familiar with the subject matter raised in Apple's complaint. Nonetheless, Apple is willing to agree to a 35-day extension for VoIP-Pal's responsive pleading (making the parties' responsive pleading deadlines in WDTX and in this Court on the same day), with the understanding and expectation that VoIP-Pal will be amenable to similar extension requests from Apple in the future.

Can you please prepare the paperwork?

Thanks,

Ameet

From: Lewis Hudnell <lewis@hudnelllaw.com>
Sent: Friday, July 9, 2021 9:40 AM
To: Ameet Modi <AModi@desmaraisllp.com>
Cc: Apple Voip-Pal Service <AppleVoip-PalService@desmaraisllp.com>; Nick Gikkas <nick@hudnelllaw.com>
Subject: [Ext] Re: Apple v. VoIP-Pal

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Ameet,

We saw that Apple filed the waiver in WDTX and served its complaint in NDCAL. Please let me know if Apple will stipulate to a 40 day extension of time for VoIP-Pal to answer or otherwise respond to the NDCAL Complaint. Many thanks.



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On Tue, Jul 6, 2021 at 12:49 PM Lewis Hudnell <lewis@hudnelllaw.com> wrote:

Ameet,

VoIP-Pal opposes the proposed Motion. Separately, please let me know when we will receive the executed waiver for the 2021 WDTX case and the overdue interrogatory verification for the 2020 NDCAL case. Many thanks.



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On Mon, Jul 5, 2021 at 2:43 PM Ameet Modi <AModi@desmaraisllp.com> wrote:

Lewis,

As you may know, last week Apple filed and served on VoIP-Pal's registered agent a declaratory judgment complaint concerning U.S. Patent Nos. 8,630,234 and 10,880,721. The case is captioned No. 21-cv-05110. Attached is a courtesy copy of the complaint and certain initial orders entered by Judge van Keulen, to whom the case was originally assigned. Judge van Keulen has since recused herself, and the case is awaiting reassignment.

Please let me know whether VoIP-Pal will oppose an Administrative Motion to Consider Whether Cases Should Be Related, which would deem this case related to one or more of the prior/current cases between Apple and VoIP-Pal assigned to Judge Koh. As you know, Judge Koh has granted those motions in the past.

Regards,

Ameet

Ameet A. Modi
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Re: [Ext] Re: Apple v. VoIP-Pal.eml
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